

2673

2003

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October 23, 2003

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OCT 29 2003

Technology Center 2600

Group No. 2673

NOV 03 2003

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Re: Applicant: Pamela M. Baughman  
 Application#: 09/944,491  
 Filed: August 27, 2001

Dear Sir:

Enclosed are corrected documents regarding the subject patent application as follows:

- Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers) signed by Pamela A. Baughman, President & CEO of Carba Fire Technologies, Inc., appointing the undersigned to prosecute and transact all business.
- Statement Under 37 C.F.R. §3.73(b) - Establishing Right of Assignee to Take Action, also signed by Pamela A. Baughman, President & CEO of Carba Fire Technologies, Inc.
- Confirmation postcard to be returned showing your receipt of same.

We originally sent these documents to you on October 7, 2003 but the application number was listed incorrectly. Please note that the above documents now have the correct application number. If you have any questions regarding the foregoing, please contact me.

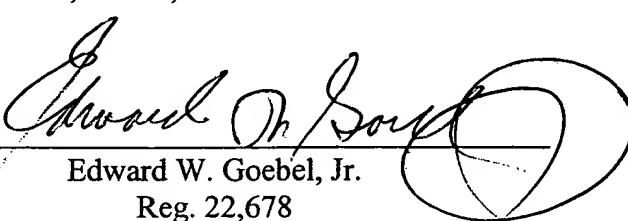
Very truly yours,

MacDONALD, ILLIG, JONES &amp; BRITTON LLP

By \_\_\_\_\_

Edward W. Goebel, Jr.

Reg. 22,678





Practitioner's Docket No. 19402.0005

**PATENT**

HS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Pamela M. Baughman** Group No: **2673**  
Application No: **09/944,491**  
Filed: **August 27, 2001** Examiner:  
For: **Wearable Ergonomic Computer Mouse**

Patent No: Issued:  
Inventor(s): Title:

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*Commissioner for Patents*  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified:

Application  
 Patent

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

**Edward W. Goebel, Jr.**  
Reg. No: 22,278

**Jon L. Woodard**  
Reg. No: 45,515

*(check the following item, if applicable)*

Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

Edward W. Goebel, Jr./ Jon L. Woodard  
MacDonald, Illig, Jones & Britton, LLP  
100 State Street  
Suite 700  
Erie, PA 16507-1498

**DIRECT TELEPHONE CALLS TO:**

814-870-7706

Customer No: 27,101

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**Carba Fire Technologies**

(type or print identity of assignee of entire interest)

**P. O. Box 192**

Address

**Lewis Run, PA 16738**

Recorded in PTO on 3/18/02

Reel 012739

Frame 0661

Recorded herewith

**ASSIGNEE STATEMENT**

Attached to this power is a "STATEMENT UNDER 37 C.F.R. 3.73(b)."

Signature

Date: 10/6/03

**Pamela M. Baughman**  
(type or print name of person authorized  
to sign on behalf of assignee)

**President/CEO**

Title

**Note:** The assignee of the entire interest may revoke previous powers and be  
Represented by an attorney of his or her selection, 37 C.F.R. 1.36.

*(check the following item, if it forms a part of this power of attorney)*

Added page – Authorization of attorney(s) to accept and follow instructions  
from representative.



Practitioner's Docket No. 19402.0005

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Pamela M. Baughman** Group No: **2673**  
Application No: **09/944,491**  
Filed: **August 27, 2001** Examiner:  
For: **Wearable Ergonomic Computer Mouse**

Patent\*:

Issue Date: \_\_\_\_\_

Reexamination No:

Issue Date: \_\_\_\_\_

Reissue:

Issue Date: \_\_\_\_\_

*\*Note: Insert name(s) of inventor(s) and title for patent*

**Commissioner for Patents**  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**STATEMENT UNDER 37 C.F.R. § 3.73(b) -  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

**CERTIFICATION 37 CFR §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that this correspondence is, on the date shown below, being:

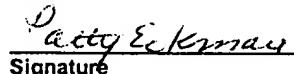
**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 CFR § 1.8(a)  37 CFR § 1.10\*  
with sufficient postage as first class mail.  as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: 10/20/03

Patty Eckman  
(type or print name of person certifying)

**\*WARNING:** *Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 55,439, at 56,442.*

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application . . . patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g. copy of an executed assignment submitted for recording) or by specifying (e.g. real and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18"

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

### **IDENTIFICATION OF ASSIGNEE**

2. Carba Fire Technologies

Name of assignee

Corporation

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

### **PERSON AUTHORIZED TO SIGN**

3. Pamela M. Baughman

(type name of person authorized to sign on behalf of assignee)

President & CEO

Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-84) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g. corporation, partnership, university, government agency, etc.).

(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

(complete the following, if applicable)

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

### **BASIS OF ASSIGNEE'S INTEREST**

Ownership by the assignee is established as follows:

A.

1.  An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at:

Reel 012739 Frame 0661

2.  An assignment (document) separately being submitted for recordal herewith.

**AND/OR**

B.  A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

2. From: \_\_\_\_\_

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

3. From: \_\_\_\_\_

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

*(check item below, and add details, if applicable)*

Additional documents in the chain of title are listed in the attached Supplemental Sheet.

**COPIES OF DOCUMENTS IN CHAIN OF TITLE**

*(check this item, if copies are being sent)*

Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

A       1       2  
 B       1       2       3

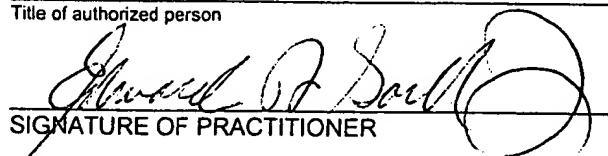


(Signature of authorized person)

Date: 10/6/03

Pamela M. Baughman  
(type or print name of authorized person)

President/CEO  
Title of authorized person



SIGNATURE OF PRACTITIONER  
Edward W. Goebel, Jr.  
(type or print name of practitioner)

100 State Street - Suite 700  
P. O. Address

Erie, PA 16507-1459

Customer No: 27101